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Please find below and/or attached an Office communication concerning this application or proceeding.

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/782,985
Filing Date: February 20, 2004
Appellant(s): KOLMAN ET AL.

Joshua N. Randall
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 8/31/09 appealing from the Office action mailed 2/20/09.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6111561	BRANDAU	08-2000
7047463	ORGAN	5-2006

20040006425	WOOD	1-2004
20030142117	CHONG	7-2003

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,111,561 (Brandau et al.), herein referred to as Brandau and U. S. Patent No. 7,047,463 B1 (Organ et al.), herein referred to as Organ.

Referring to claim 20, Brandau discloses a system having a display, a user interface, and a computer readable medium (Figure 1 and column 2, lines 38-46). The computer readable medium contains computer code to carry out the process claimed (column 2, lines 37-40), the computer program is stored on the computer system and executed to carry out the claimed features. Brandau discloses displaying a high-level map structure panel on the display on a first image scale (Figure 2 and column 2, lines 13-17). Brandau discloses displaying a panning window on the display, the panning window being movable from a first position in the high-level map structure panel to a second position in the high-level map structure panel by way of a continuous panning motion from the first position to the second position to select a sub-portion of the

displayed map structure (column 2, lines 56-64). The panner represents the panning window which when the user drags is movable from a first position to a second position in the Overview panel. This dragging is a continuous panning motion which selects a sub-portion of the displayed Overview map data. Brandau discloses displaying a detailed sub-structure panel on the display, the detailed sub-structure displaying the selected sub-portion of the map structure on a second image scale greater than the first image scale (Figure 2 and column 2, lines 19-26). The Detail window panel displays the selected sub-portion of the Overview window on a scale that is more detailed and greater than the first image scale. Brandau does not disclose a high level map display including a test flow map structure, which relates to a flow of tests for testing at least one device. Organ discloses displaying a test flow map structure which relates to a flow of tests for testing at least one device (Figure 5A and column 2, lines 8-12). It would have been obvious to one skilled in the art at the time of the invention to learn from Organ a high level map display including a test flow map structure, which relates to a flow of tests for testing at least one device. Brandau discloses displaying network information that includes large amount of nodes for which a detailed display is provided. Brandau discloses that map structures with large amounts of nodes can be hard to examine for which the detailed display would come in handy (column 1, lines 36-43). The test flow diagram in Organ includes such a map structure that includes large amount of nodes with details. Therefore, it would have been obvious to one skilled in the art at the time of the invention to learn from Organ a high level map display including a test flow map structure, which relates to a flow of tests for testing at least one device.

Referring to claim 21, Brandau discloses a method including displaying a map structure including data on a first image scale in a first area of the display (Figure 2 and column 2, lines 13-17). Brandau discloses providing a panning window which is movable from a first position in the high-level map structure panel to a second position in the high-level map structure panel by way of a continuous panning motion from the first position to the second position to select a sub-portion of the displayed map structure (column 2, lines 56-64). The panner represents the panning window which when the user drags is movable from a first position to a second position in the Overview panel. This dragging is a continuous panning motion which selects a sub-portion of the displayed Overview map data. Brandau discloses displaying the selected sub-portion of the map structure on a second image scale greater than the first image scale in a second area of the display screen (Figure 2 and column 2, lines 19-26). The Detail window panel displays the selected sub-portion of the Overview window on a scale that is more detailed and greater than the first image scale. Brandau does not disclose displaying a flow of tests for testing at least one device with a map structure of test data. Organ discloses displaying a flow of tests for testing at least one device with a map structure of test data (Figure 5A and column 2, lines 8-12). It would have been obvious to one skilled in the art at the time of the invention to learn from Organ displaying a flow of tests for testing at least one device with a map structure of test data. Brandau discloses displaying network information that includes large amount of nodes for which a detailed display is provided. Brandau discloses that map structures with large amounts of nodes can be hard to examine for which the detailed display would

come in handy (column 1, lines 36-43). The test flow diagram in Organ includes such a map structure that includes large amount of nodes with details. Therefore, it would have been obvious to one skilled in the art at the time of the invention to learn from Organ displaying a flow of tests for testing at least one device with a map structure of test data.

Claims 3-10 and 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandau, Organ and U. S. Publication No. 2004/0006425 A1 (Wood et al.), herein referred to as Wood.

Referring to claim 3, Brandau discloses distinct elements are highlighted in the map structure (column 1, lines 17-18 and lines 28-31) but does not disclose a search and highlight function, the search and highlight function allowing input of a search criteria, in a data entry manner and not solely from a predetermined menu of selectable search criteria and highlighting elements in the map structure displayed in the high-level map structure panel that meet the search criteria. Wood discloses a search and highlight function where in response to search criteria input by the user for displaying and identifying distinct data, these elements are highlighted in the map structure displayed in the high-level map structure panel that meet the search criteria (Figures 9 and 10 and page 5, paragraph 42). The search input involves data entry of an address by a user and is not solely from a predetermined menu of searchable criteria. The address is searched and highlighted as an icon on the map to identify the found address. The search criteria is input by the user as shown in Figure 9, where its in a data entry manner and not solely from a predetermined menu of searchable criteria. It

would have been obvious to one skilled in the art at the time of the invention to learn from Wood a search and highlight function, the search and highlight function allowing input of a search criteria, in a data entry manner and not solely from a predetermined menu of selectable search criteria and highlighting elements in the map structure displayed in the high-level map structure panel that meet the search criteria. Brandau discloses an interface where network elements are configured and further highlighted in order for the user to identify specific elements within a system. The configuration and management of this network would benefit from a search and highlight functionality that would allow for the user to search and identify specific elements within a large and clustered network. This provides motivation for Brandau and Organ to learn from Wood. Therefore, one skilled in the art at the time of the invention would have been motivated to learn from Wood that a search and highlight function, the search and highlight function allowing input of a search criteria, in a data entry manner and not solely from a predetermined menu of selectable search criteria and highlighting elements in the map structure displayed in the high-level map structure panel that meet the search criteria.

Referring to claim 4, Brandau, Organ and Wood disclose that the search and highlight function allows input of a plurality of search criteria and highlights elements in the map structure displayed in the high-level map structure panel that meet the search criteria (Wood, Figure 12 and page 5, paragraph 44, lines 11-30), where the search menu display of Figure 12 provides a plurality of search criteria that can be selected through inputs by the user with these elements being highlighted in the map structure.

Referring to claim 5, Brandau, Organ and Wood disclose that the search and highlight function visually differentiates highlights generated according to respective search criteria (Brandau, column 1, lines 27-30), where the combination of Brandau and Wood disclose highlighting elements in response to respective search criteria. The combination of Brandau, Organ and Wood also discloses that the highlighted elements are color coded based on the distinct elements in the network structure there being a visually different highlight means based on the elements in the network map structure and the status of these elements.

Referring to claim 6, Brandau, Organ and Wood disclose a graphical switch on the display that allows the search and highlight function to be activated or inactivated (Wood, page 5, paragraph 44, lines 1-3), where a graphical means is provided to switch to activating access to the search and highlight function.

Referring to claim 7, Brandau discloses highlighting distinct elements in the network structure (column 1, lines 17-18 and lines 28-31) but Brandau does not disclose a highlight function that allows input of a highlight selection criteria and highlighting elements in the map structure displayed in the high-level map structure panel that meet the highlight selection criteria. Wood discloses a highlight function which allows input of a highlight selection criteria in response to which elements can be highlighted in the map structure displayed in the high-level map structure panel that meet the highlight selection criteria (Figure 12 and page 5, paragraph 44, lines 11-30). The selection criteria input into the menu of Figure 12 results in highlighting of these criteria in the map structure of Wood. It would have been obvious to one skilled in the art at the time

of the invention to learn from Wood that the highlight function allows input of a highlight selection criteria and highlighting elements in the map structure displayed in the high-level map structure panel that meet the highlight selection criteria. Brandau discloses an interface where network elements are configured and further highlighted in order for the user to identify specific elements within a system. The configuration and management of this network would benefit from highlighting elements in response to a highlight selection criteria functionality that would allow for the user to search and identify specific elements within a large and clustered network. This provides motivation for Brandau and Organ to learn from Wood. Therefore, one skilled in the art at the time of the invention would have been motivated to learn from Wood that the highlight function allows input of a highlight selection criteria and highlighting elements in the map structure displayed in the high-level map structure panel that meet the highlight selection criteria.

Referring to claim 8, Brandau, Organ and Wood disclose that the highlight function allows input of a plurality of highlight selection criteria and highlights elements in the map structure displayed in the high-level map structure panel that meet the highlight selection criteria (Wood, Figure 12 and page 5, paragraph 44, lines 11-30), where the search menu display of Figure 12 provides a plurality of highlight selection criteria that can be selected through inputs by the user with these elements being highlighted in the map structure.

Referring to claim 9, Brandau, Organ and Wood disclose that the highlight function visually differentiates elements highlighted according to different respective

highlight selection criteria (Brandau, column 1, lines 27-30), where the combination of Brandau, Organ and Wood disclose highlighting elements in response to respective highlight selection criteria. The combination of Brandau, Organ and Wood also discloses that the highlighted elements are color coded based on the distinct elements in the network structure there being a visually different highlight means based on the elements in the network map structure and the status of these elements.

Referring to claim 10, Brandau, Organ and Wood disclose a graphical switch on the display that allows the highlight function to be activated or inactivated (Wood, page 5, paragraph 44, lines 1-3), where a graphical means is provided to switch to activating access to the highlight function.

Referring to claim 12, Brandau discloses highlighting elements in the map structure (column 1, lines 17-18 and lines 28-31) but does not disclose displaying a selectable search and highlight function that accepts search criteria input in a data entry manner and not solely from a predetermined menu of searchable criteria and highlights elements in the map structure displayed in the first area of the display screen that meet the search criteria input. Wood discloses displaying a selectable search criteria and highlight function that accepts search criteria input and highlights elements in the map structure displayed in the first area of the display screen that meet the search criteria input (Figures 9 and 10 and page 5, paragraph 42). The search input involves data entry of an address by a user and is not solely from a predetermined menu of searchable criteria. The address is searched and highlighted as an icon on the map to identify the found address. The search criteria is input by the user as shown in Figure

9, where its in a data entry manner and not solely from a predetermined menu of searchable criteria. It would have been obvious to one skilled in the art at the time of the invention to learn from Wood displaying a selectable search and highlight function that accepts search criteria input in a data entry manner and not solely from a predetermined menu of searchable criteria and highlights elements in the map structure displayed in the first area of the display screen that meet the search criteria input. Brandau discloses an interface where network elements are configured and further highlighted in order for the user to identify specific elements within a system. The configuration and management of this network would benefit from a search and highlight functionality that would allow for the user to search and identify specific elements within a large and clustered network. This provides motivation for Brandau and Organ to learn from Wood. Therefore, one skilled in the art at the time of the invention would have been motivated to learn from Wood displaying a selectable search and highlight function that accepts search criteria input in a data entry manner and not solely from a predetermined menu of searchable criteria and highlights elements in the map structure displayed in the first area of the display screen that meet the search criteria input.

Referring to claim 13, Brandau, Organ and Wood disclose that the search and highlight function accepts simultaneous input of a plurality of search criteria and highlights elements in the map structure displayed in the first area of the display screen that meet the search criteria input (Wood, Figure 12 and page 5, paragraph 44, lines 11-30), where the search menu display of Figure 12 provides a plurality of search criteria

that can be selected through inputs by the user with these elements being highlighted in the map structure.

Referring to claim 14, Brandau, Organ and Wood disclose visually differentiating highlighted elements highlighted according to different respective search criteria (Brandau, column 1, lines 27-30), where the combination of Brandau, Organ and Wood disclose highlighting elements in response to respective search criteria. The combination of Brandau, Organ and Wood also discloses that the highlighted elements are color coded based on the distinct elements in the network structure there being a visually different highlight means based on the elements in the network map structure and the status of these elements.

Referring to claim 15, Brandau discloses displaying highlighted elements in the map structure (column 1, lines 17-18 and lines 28-31) but does not disclose a highlight function that accepts highlight selection criteria input and highlights elements in the map structure displayed in the first area of the display screen that meet the highlight selection criteria input. Wood discloses a highlight function that accepts highlight selection criteria input and highlights elements in the map structure displayed in the first area of the display screen that meet the highlight selection criteria input (Figure 12 and page 5, paragraph 44, lines 11-30). The selection criteria input into the menu of Figure 12 results in highlighting of these criteria in the map structure of Wood. It would have been obvious to one skilled in the art at the time of the invention to learn from Wood a highlight function that accepts highlight selection criteria input and highlights elements in the map structure displayed in the first area of the display screen that meet the highlight

selection criteria input. Brandau discloses an interface where network elements are configured and further highlighted in order for the user to identify specific elements within a system. The configuration and management of this network would benefit from highlighting elements in response to a highlight selection criteria functionality that would allow for the user to search and identify specific elements within a large and clustered network. This provides motivation for Brandau and Organ to learn from Wood. Therefore, one skilled in the art at the time of the invention would have been motivated to learn from Wood a highlight function that accepts highlight selection criteria input and highlights elements in the map structure displayed in the first area of the display screen that meet the highlight selection criteria input.

Referring to claim 16, Brandau, Organ and Wood disclose that the highlight function accepts simultaneous input of a plurality of highlight selection criteria and highlights elements in the map structure displayed in the first area of the display screen that meet the highlight selection input (Wood, Figure 12 and page 5, paragraph 44, lines 11-30), where the search menu display of Figure 12 provides a plurality of highlight selection criteria that can be selected simultaneously through inputs by the user with these elements being highlighted in the map structure.

Referring to claim 17, Brandau, Organ and Wood disclose visually differentiating highlighted elements highlighted according to different respective highlight selection criteria (Brandau, column 1, lines 27-30), where the combination of Brandau, Organ and Wood disclose highlighting elements in response to respective highlight selection criteria. The combination of Brandau, Organ and Wood also discloses that the

highlighted elements are color coded based on the distinct elements in the network structure there being a visually different highlight means based on the elements in the network map structure and the status of these elements.

Referring to claim 18, Brandau discloses that the continuous panning motion comprises a drag action (column 2, lines 61-64) but does not disclose a drop action. Wood discloses a continuous panning motion that involves dragging and dropping action (page 4, paragraph 39, lines 1-4), where clicking and moving comprises the dragging action and releasing the mouse button comprises the drop action. It would have been obvious to one skilled in the art at the time of the invention to learn from Wood that the continuous panning motion comprises a drop action. Both Brandau and Wood disclose traversing a display area by carrying out a continuous panning motion involving drag action with Wood further describing a drop action. The drop action is carried out in Wood in response to the drag action where after dragging, the drop action is carried out to end the interaction process. In response to the mouse click, initiating the dragging, the drop action would occur when the mouse is unclicked. Therefore in view of the drag operation in Brandau, the drop action would be obvious. It would have been obvious to one skilled in the art at the time of the invention to learn from Wood that the continuous panning motion comprises a drop action.

Referring to claim 19, Brandau discloses that the continuous panning motion comprises a drag action (column 2, lines 61-64) but does not disclose a drop action. Wood discloses a continuous panning motion that involves dragging and dropping action (page 4, paragraph 39, lines 1-4), where clicking and moving comprises the

dragging action and releasing the mouse button comprises the drop action. It would have been obvious to one skilled in the art at the time of the invention to learn from Wood that the continuous panning motion comprises a drop action. Both Brandau and Wood disclose traversing a display area by carrying out a continuous panning motion involving drag action with Wood further describing a drop action. The drop action is carried out in Wood in response to the drag action where after dragging, the drop action is carried out to end the interaction process. In response to the mouse click, initiating the dragging, the drop action would occur when the mouse is unclicked. Therefore in view of the drag operation in Brandau, the drop action would be obvious. It would have been obvious to one skilled in the art at the time of the invention to learn from Wood that the continuous panning motion comprises a drop action.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brandau, Organ, Wood and U. S. Publication No. 2003/0142117 A1 (Chong et al.), herein referred to as Chong.

Referring to claim 2, Brandau does not disclose a graphical switch on the display that allows the panning window interface to be activated or inactivated. Wood discloses a graphical means through which the user can switch to activate the panning window interface or to inactivate the panning window interface (Figure 7 and page 4, paragraph 36, lines 1-6), where the selection of the menu item allows for switching between activation and inactivation of the panning window interface. It would have been obvious to one skilled in the art at the time of the invention to learn from Wood to disclose a graphical switch on the display that allows the panning window interface to be activated

or inactivated. Providing a graphical means through which the user can choose to activate or inactive the panning window interface provides more user control over the interface. The user of Brandau's display would benefit from having control over the activation status of the panning window interface when the interface is provided with large amounts of data that needs attention at any particular time. When the user would desire to switch the panning window interface activation status, the switch can occur in response to the user's desire. This would motivate Brandau and Organ to learn from Wood to implement a graphical switch means. Therefore, one skilled in the art at the time of the invention would have been motivated to learn from Wood to disclose a graphical switch on the display that allows the panning window interface to be activated or inactivated.

Brandau, Organ and Wood do not disclose that inactivation of the panning window interface removes the panning window from the display and enlarges the high-level map structure panel. Chong discloses that inactivation of the panning window removes the panning window from the display and enlarges the high-level map structure panel (Figures 2, 3 and page 2, paragraphs 21-24). Once the panning window determines the zoom area, the panning window is no longer needed and is inactive in response to which the panning window is removed and the high-level map is enlarged. It would have obvious to one skilled in the art at the time of the invention to learn from Chong that inactivation of the panning window interface removes the panning window from the display and enlarges the high-level map structure panel. In the combination of Brandau, Organ and Wood when the panning option is inactivated there is no measure

taken to remove the panning window which clearly isn't necessary once the panning option is inactive. The removal of the panning window allows the user to clearly view the map data. This provides motivation for Brandau, Organ and Wood to learn from Chong. Therefore, one skilled in the art at the time of the invention would have been motivated to learn from Chong that inactivation of the panning window interface removes the panning window from the display and enlarges the high-level map structure panel.

(10) Response to Argument

1. Whether claims 20 and 21 should be rejected under 35 U.S.C. 103(a) as being unpatentable over Brandau et al. (US 6,111,561; hereinafter "Brandau") in view of Organ et al. (US 7,047,463 B1; hereinafter "Organ").

Applicant argues that the references Brandau and Organ were not related. The Examiner respectfully disagrees. The interface in Brandau is implemented to display structures that have large number of nodes and require large amounts of data that is to be displayed. See column 1, lines 34-43. Brandau discloses how maps with a large number of nodes would require some mechanism through which the user could access specific desired data and display it appropriately. Although Brandau displays network nodes, the interface can be displayed with various other types of a large number of nodes as is required by the test flow structure of Organ. The Figure 5A of Organ is a graphical illustration of a test flow which visualizes the functions of test operations. One of ordinary skill in the art at the time of the invention would have the skill to substitute the test flow structure to view the detailed information associated with this structure.

Brandau would benefit from this teaching from Organ by being able to provide not only network structure data but additional test flow structure data. The user of Brandau would benefit by being able to view test flow structure data and view the detailed test flow structure data in a second scale. The system of Brandau would display not only network structure but test flow structure, with which the user can view additional data associated with test flow. This provides motivation for Brandau to learn from Organ.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Namitha Pillai/

Primary Examiner, Art Unit 2173

Namitha Pillai
Primary Patent Examiner
Art Unit 2173
November 8, 2009

Conferees:

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